



Nearshore Fill for State HPA Mitigation Requirements Version: May 30, 2001

Location: This informal programmatic consultation applies to proposed actions in Washington State where the National Marine Fisheries Service and U.S. Fish and Wildlife Service have concurred that the project not likely to adversely affect listed fish species and designated critical habitat and will not jeopardize proposed fish species or destroy or adversely modify proposed critical habitat.

Implementation Conditions: To be covered by this informal programmatic consultation, all actions addressed herein shall comply with the Implementation Conditions outlined in ***Programmatic Consultation – Phase I: General Implementation Conditions***. In addition, each action shall comply with specific conditions outlined below.

Timing: The action shall only occur once within one “work season” (the approved work windows described in ***Programmatic Consultation – Phase I: Approved Work Windows***) for a single and complete project. For example, only a maximum of 18 piles shall be replaced on a single pier within the approved work window. The following year, up to 18 piles may be replaced on the same pier within the approved work window for that year.

Adjacent: For the purposes of this document, “adjacent” is defined as within 300 linear feet. This is used when restricting projects from impacting special aquatic sites (such as an eelgrass bed or wetland) and/or salmonid or forage fish spawning areas.

Nearshore Fill for State HPA Mitigation Requirements: Placement of up to 25 cubic yards of fill material waterward of the ordinary high water line (OHW) line to meet mitigation requirements imposed by Washington State Department of Fish and Wildlife (WDFW) in association with an Hydraulic Project Approval (HPA) where all other work (the bank stabilization activity and associated stockpiling) is outside Corps jurisdiction (landward of the OHW line) and has already been constructed, provided that:

1. In Fresh Waters *excluding* the Columbia River:

- Work is done within the approved work window.
- Material is not placed in or adjacent to vegetated shallows (except where such vegetation is limited to State-designated noxious weeds) or other special aquatic sites.
- Gravel materials are washed and clean prior to being brought to the site.
- Work occurs only in the dry.
- Stockpiling shall not occur below OHW.
- Work is done by hand except that if a barge is used to deliver material it shall not ground out on the bottom.

- The material is spread out evenly and the beach grade is not altered (to avoid stranding of fish).
- Upon completion of material placement the beach shall not contain any pits, potholes, or large depressions.
- All natural beach complexity features that were necessary to remove are repositioned or replaced in their original locations on the beach immediately following completion of the work.

2. In the Columbia River mainstem *including* Snake River and Baker Bay: This programmatic consultation does not cover activities in the Columbia River mainstem including Snake River and Baker Bay.

3. In Marine/Estuarine Waters *excluding* for Baker Bay:

- Work is done within the approved work window.
- Material is not placed in or adjacent to vegetated shallows or other special aquatic sites.
- Gravel materials are washed and clean prior to being brought to the site.
- Work occurs only in the dry.
- Stockpiling shall not occur below MHHW.
- Work is done by hand except that if a barge is used to deliver material it shall not ground out on the bottom.
- The material is spread out evenly and the beach grade is not altered (to avoid stranding of fish).
- Upon completion of material placement the beach shall not contain any pits, potholes, or large depressions.
- All natural beach complexity features that were necessary to remove are repositioned or replaced in their original locations on the beach immediately following completion of the work.